

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
VALDOSTA DIVISION**

RECKO ELLIS,

Plaintiff,

VS.

Captain DWIGHT PEETE,

Defendant.

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**CIVIL ACTION FILE
NO. 7:06-CV-127 (HL)**

RECOMMENDATION

Presently pending herein are Plaintiff's Motion for Summary Judgment (R. 22), his Motion Granting Judgment (R. 27) and his Motion seeking entry of Summary Judgment (R. 28). For the reasons set out below, the undersigned **RECOMMENDS** that each of plaintiff's motions be **DENIED**.

On July 13, 2007, plaintiff filed a motion for summary judgment which states in its entirety, "[c]omes now where the plaintiff is requesting for this court to render a summary judgment in this case." This motion was accompanied by a one paragraph memorandum of law (R.23) wherein plaintiff alleges he is suffering and worried about his health and fearful that he will not be able to find work in the future due to his exposure to or allegedly contracting tuberculous. Approximately one month later plaintiff files and affidavit in which he swears that everything he has stated is true (R. 24).

Plaintiff's motion and supporting documents are so improper and inadequate that it does not even merit a response from the defendant who did not respond. On October 12, 2007, plaintiff filed his Motion Granting Judgment, in which he seeks summary judgment predicated upon defendant's failure to respond to his summary judgment motion. Then on October 15,

2007, plaintiff who must be considered a recreational filer¹ files yet another motion wherein he asks the court to grant his motion for summary judgment.

Due to the complete inadequacy of plaintiff's motion for summary judgment it must be denied. If that motion is denied, the remaining two motions must also be denied as moot. It is so **RECOMMENDED**. Pursuant to 28 U.S.C. § 636(b)(1), the parties may file written objections to this recommendation with the Honorable Hugh Lawson, Chief United States District Judge, WITHIN TEN (10) DAYS of receipt thereof.

SO RECOMMENDED, this 16th day of October 2007.

/s/ *Richard L. Hodge*
RICHARD L. HODGE
UNITED STATES MAGISTRATE JUDGE

¹Eighteen lawsuits filed in this court since December 21, 2006.